

SUPPLEMENTAL REISSUE APPLICATION DECLARATION BY THE INVENTOR

Attorney's Docket No.
P54757RE2

As a below named inventor, I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,963,387, granted on 5 October 1999, and for which a reissue patent is sought on the invention entitled METHOD FOR FORMING AND PROCESSING DATA ADDRESS MARK FOR HARD DISK DRIVE, the specification of which

☐ is attached hereto.

☒ was filed on 5 October 2001 as reissue application number 09/971081, and was amended on 8/29/2002, 6/12/2003, 6/16/2003. (If applicable)

☒ I hereby claim foreign priority benefits under Title 35, U.S. Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, or §119(e) of any United States provisional application(s), listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>1996-0038461</u>	<u>Republic of Korea</u>	<u>5 September 1996</u>	Priority Claimed:
<i>(Application Number)</i>	<i>(Country)</i>	<i>(Day/Month/Year filed)</i>	Yes [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>]

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

Pursuant to 37 C.F.R. §1.175, I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☒ by reason of a defective specification or drawings.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☒ by reason of other error.

At least one error upon which reissue is based is described as follows:

Pursuant to 37 C.F.R. §1.175, Applicant believes the original aforesaid patent to be wholly or partly inoperative by reason of a defective specification or drawings, and by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

I believe the original aforesaid patent to be wholly or partly inoperative by reason of errors in the specification.

Also, Applicant erred by allowing claims to issue with grammatical errors that may affect the scope of coverage of those claims. By way of example, claim 7 refers to "said one data address mark", although the presence of "one" appears to be in error.

Additionally, Applicant erred by claiming less than he was entitled to claim. Newly presented independent claim 16 alternatively, and more broadly defines Applicant's process while using fewer limitations.

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE INVENTOR**

Attorney's Docket No.
P54757RE2

Moreover, newly presented claims 16 through 34 alternatively define the several patentable features of Applicant's invention broadly, without surplus and without unnecessary limitations restricting the scope of coverage provided by these claims, in broad terms commensurate with the scope of Applicant's invention. These newly presented claims 16 and 34 more broadly define Applicant's inventions without the phrase "skipping a remaining data address mark" as defined by independent claim 1, and without the phrase "detecting said address mark" as defined by independent claim 7, thereby more broadly defining Applicant's inventions. These errors arose without any deceptive intention on the part of the Applicant. Failure to recognize the possibility of more broadly claiming Applicant's invention during the prosecution was inadvertent and unintentional. Furthermore, no amendments of Applicant's originally filed claims were in any sense an admission that the scope of that claim was not in fact patentable. Accordingly, Applicant erred in not obtaining a broad and extensive scope of coverage of his invention.

Furthermore, newly presented apparatus claim 52 and newly presented process claim 53 alternatively define other aspects of Applicant's invention in terms of the structure using a "headerless servo recording format on a recording medium." The omission of these definitions of novel features of Applicant's invention was error that arose without any deceptive intention on the part of Applicant. Failure to recognize the possibility of providing coverage of these aspects of Applicant's invention during the prosecution was inadvertent and unintentional. Furthermore, no amendments of Applicant's originally filed claims were in any sense omission of the scope of that claim was not in fact patentable. Accordingly, Applicant erred in not obtaining coverage of these aspects of his invention.

Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

Power of Attorney

I hereby appoint Practitioner(s) associated with the Customer Number 08439 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to the address associated with Customer Number 08439.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name): Ok-Hyun Son

Inventor's signature: 

Date: 9/29/2010

Residence: Linkwang Apt. 4-503, Maetan 3-dong, Paldal-gu, Suwon-city, Kyungki-do,
Republic of Korea

Post Office Address: Same as above

Citizenship: Republic of Korea

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Attorneys Docket No.
P54757RE2

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Samsung Electronics Co., Ltd.

and the title of my position with said assignee is: _____

The entire title to the patent identified below is vested in said assignee.

Full name of sole or first inventor (given name, family name): Ok-Hyun SonResidence/Mailing Address: Limkwang Apt. 4-503, Maetan 3-dong, Paldal-gu, Suwon-city, Kyungki-do,
Republic of KoreaCitizenship: Republic of Korea☐ Additional inventors are named below.Patent No. 5,963,387Date of Patent Issued: 5 October 1999I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled: METHOD FOR FORMING AND PROCESSING DATA ADDRESS MARK FOR HARD DISK DRIVE, the specification of which☐ is attached hereto.☒ was filed on 5 October 2001 as reissue application number 09/971081, and was amended on 8/29/2002, 6/12/2003, 6/16/2003, (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

☒ I hereby claim foreign priority benefits under Title 35, U.S. Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, or §119(e) of any United States provisional application(s), listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>1996-0038461</u>	<u>Republic of Korea</u>	<u>5 September 1996</u>
(Application Number)	(Country)	(Day/Month/Year filed)

Priority Claimed:
Yes ☒ No ☐

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Attorney's Docket No.
P54757RE2

Pursuant to 37 C.F.R. §1.175, I verify believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☒ by reason of a defective specification or drawings,
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent,
- ☒ by reason of other errors.

At least one error upon which reissue is based is described as follows:

Pursuant to 37 C.F.R. §1.175, Applicant believes the original aforesaid patent to be wholly or partly inoperative by reason of a defective specification or drawings, and by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

I believe the original aforesaid patent to be wholly or partly inoperative by reason of errors in the specification.

Also, Applicant erred by allowing claims to issue with grammatical errors that may affect the scope of coverage of those claims. By way of example, claim 7 refers to "said one data address mark", although the presence of "one" appears to be in error.

Additionally, Applicant erred by claiming less than he was entitled to claim. Newly presented independent claim 16 alternatively, and more broadly defines Applicant's process while using fewer limitations.

Moreover, newly presented claims 16 through 34 alternatively define the several patentable features of Applicant's invention broadly, without surplus and without unnecessary limitations restricting the scope of coverage provided by these claims, in broad terms commensurate with the scope of Applicant's invention. These newly presented claims 16 and 34 more broadly define Applicant's inventions without the phrase "skipping a remaining data address mark" as defined by independent claim 1, and without the phrase "detecting said address mark" as defined by independent claim 7, thereby more broadly defining Applicant's inventions. These errors arose without any deceptive intention on the part of the Applicant. Failure to recognize the possibility of more broadly claiming Applicant's invention during the prosecution was inadvertent and unintentional. Furthermore, no amendments of Applicant's originally filed claims were in any sense an admission that the scope of that claim was not in fact patentable. Accordingly, Applicant erred in not obtaining a broad and extensive scope of coverage of his invention.

Furthermore, newly presented apparatus claim 52 and newly presented process claim 53 alternatively define other aspects of Applicant's invention in terms of the structure using a "headerless servo recording format on a recording medium." The omission of these definitions of novel features of Applicant's invention was error that arose without any deceptive intention on the part of Applicant. Failure to recognize the possibility of providing coverage of these aspects of Applicant's invention during the prosecution was inadvertent and unintentional. Furthermore, no amendments of Applicant's originally filed claims were in any sense omission of the scope of that claim was not in fact patentable. Accordingly, Applicant erred in not obtaining coverage of these aspects of his invention.

Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

**SUPPLEMENTAL REISSUE APPLICATION DECLARATION
BY THE ASSIGNEE**Attorney's Docket No.
P54757RE2**Power of Attorney**

I hereby appoint Practitioner(s) associated with the **Customer Number 08439** as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to the address associated with **Customer Number 08439**.

Reissue Application Consent of Assignee

The undersigned officer of the Assignee, under 37 C.F.R. §3.73(b), is duly authorized to make this Declaration, and has examined the documents of title, and determined that SamSung Electronics Co., Ltd., the assignee of U.S. Patent No. 5,963,387 by virtue of an Assignment from all inventors recorded in the U.S. Patent & Trademark Office at Recd No. 008757, at Frame No. 0915 on the 30th day of September 1997, consents to the filing of this reissue application for the reissue of U.S. Patent No. 5,963,387.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

Taek-Sung KimSignature: Date: June 8, 2010

Address of Assignee: 416 Maetan-dong, Ycongong-gu, Suwon-si, Gyeonggi-do, 442-742, Republic of Korea